

December 21, 2004

December Twenty-first

20-----04

The second regular Meeting of City Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Staff members present were Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., and City Clerk Annette Y. Crane, CMC.

Other Staff Member present was Deputy Public Works Director/City Engineer Kent Shelton.

Mayor Hamlin presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Wayne Oakes offered the invocation. The Pledge of Allegiance to the Flag followed.

### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Hamlin recognized Frank Fulton, Jr., a resident of 150 Howeland Circle. Mr. Fulton appeared to present a proposal to Council concerning the establishment of "The Worsham Street Water Garden." He displayed a rendering of his vision for the bridge for Council's review. His proposal was as follows:

#### **The idea behind the Worsham Street Water Garden:**

- Turn a financial burden into a positive economic stimulus for the Danville/Pittsylvania County Community.
- Improve the quality of life for the citizens of the region.
- Create new and innovative activities to bring commerce and social interaction to the Danville inner city area.
- Create a dynamic tourist attraction.
- Create a new method for river crossing.
- Establish new business opportunities that involve cultural cultivation.
- Establish a social center for relaxation and dining.
- Create a community swimming area.

#### **How to do it:**

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- Tear down the Worsham Street Bridge with the exception of two sections that are in the middle of the river.
- Take the rubble and create a duck pond barrier upstream and downstream of the two bridge sections.
- Convert the two sections into a two-way waterfall.
- Create a flower garden within the waterfall.
- Create a ferry system for crossing the river that is fun, stimulating, and relaxing.
- Create specialty shops, gardens, wading pool area, and park for socialization.
- Restructure the south side buildings into eating establishments, shops, library by the water, etc.
- Restructure the north side with flower garden and turn of the century artisans' shops.
- Create travel attraction that stimulates business growth through the service and recreation industry.

### **Why do it?**

The Governor of Virginia has identified the need to stimulate social and business growth through tourism and recreation. Danville is well underway with the River Walk projects and the vision of bringing recreational, leisure, and new economic activity to the inner city. The creation of a nationally recognized tourist attraction would stimulate this process and create an economic flow of visitors to the inner city.

The vision of the Worsham Street Water Garden proposal would create the largest manmade waterfall in the world. A dual manmade waterfall of this design does not exist anywhere in the world, nor does there exist a manmade waterfall that would be higher than this structure.

### **What would be the impact?**

#### **Environmental Impact:**

The trash from the demolition of the bridge sections would be utilized for the barriers. A natural setting for waterfowl and fishing would be accentuated along the river.

#### **Economic Impact:**

The food and lodging industries would increase within the City. New businesses would be created to serve the Water Garden.

Governmental grant opportunities would also increase, such as, grants from the arts and grants from inner reclamation programs.

Federal environmental grants and financial support from visionary philanthropic individuals and organization and corporate interest would be stimulated towards

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relocation. Generation X, Y, and Z boutique businesses would relocate to the inner city and increase positive support for economical revitalization projects.

### **National and International Media Impact:**

National exposure for a City project and world interest would be piqued at the concept of turning economic barriers into economic stimulants (turning trash into treasure and doing so in a big way). There would also be educational studies and reports on the dynamics of revitalization through retooling and rethinking.

### **Who else is doing this?**

Lynchburg, Virginia has installed a 150-foot water fountain in the James River to stimulate interest in the inner city business area that surrounds the river.

### **General Cost Analysis:**

- The trash from demolition becomes the natural water break in the river.
- Excavation of the riverbank to provide for the pond area would be inexpensive.
- The conversion of the bridge into a waterfall would involve the installation of a pumping system, a walkway system to the upper level of the waterfall for maintenance and the installation of an electrical lighting system.
- The state money allocated for the removal will pay for the cost of retooling the bridge for the waterfall.
- Government grant money will pour in to match ecological programs for natural environmental enhancement.

### **Additional Benefits:**

- Employment opportunities for the citizens of Danville
- Public swimming area on the south side of the river
- New innovative river crossing system via the ferry program.

Mr. Fulton said the Water Garden would represent the bridging of culture, time, nature, and history before the eyes of everyone who would visit the Water Garden. He said it would bring a clam to the economic storm and a uniting of cultures through the simple power of nature and the waters of live. Mr. Fulton concluded that every community needs peacefulness and Danville could take the lead for the nation by making the effort to turn an impossible set of circumstances into a plethora of opportunities for positive community enrichment.

Council Members Archie, Castiglione, Daniels, Smith, Saunders, and Mayor Hamlin all stated they were very impressed with Mr. Fulton's proposal.

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Council Member Daniels said the proposal was very unique and requested Mr. Fulton to look at the efficacy of placing something in flood plains that are located on the north and south side of the bridge.

Council Member Castiglione requested Deputy City Manager Lacy to look into the proposal from a structural standpoint. Mr. Castiglione also suggested that Parks, Recreation, and Tourism Director John Gilstrap and Community Development Director Jerry Fischer look into the possibility of recreational and development grant funds for such a structure.

Council Member Smith felt it was a good proposal and said the private sector should also consider funding assistance.

Council Member Saunders and Council Member Archie requested that Mr. Fulton continue to investigate the possibility of such a project. Mr. Saunders said he felt it was a good plan.

Mayor Hamlin asked Mr. Fulton to look into the cost and other aspects related to such a project and to bring a report back to Council. Mayor Hamlin also asked that Mr. Fulton look at maintenance costs as well. Mr. Fulton agreed to do so.

### **COMMUNICATIONS FROM VISITORS**

Mayor Hamlin recognized Rev. Cecil Bridgeforth, a resident at 709 Edmonds Street. Rev. Bridgeforth reminded Council of AIDS Awareness Month. He advised AIDS and HIV were on the increase in our area, but because of confidentiality matters, most citizens were not aware of the increase. He said he would like to let citizens know that there is a facility in Danville that assists with these clients.

Rev. Bridgeforth introduced Cindy Poteat, who works with AIDS patients. Ms. Poteat said AIDS is escalating rapidly and said there is help for patients who test HIV positive. The facility is located across from Danville Regional Medical Center in the new doctors building on South Main Street.

Mayor Hamlin thanked Rev. Bridgeforth and Ms. Poteat for their input and suggested that the local media could assist with getting the word out about the facility.

### **MINUTES**

Upon Motion by Council Member Smith and second by Council Member Archie, Minutes of the December 7, 2004 Council Meeting and December 7, 2004 Work Session and the December 9, 2004 Joint Work Session with the School Board and Staff were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

### **REAPPOINT BAUCOM TO RETIREMENT SYSTEM BOARD OF TRUSTEES**

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Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.02

A RESOLUTION REAPPOINTING EDWARD B. BAUCOM AS A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES.

The Motion was seconded by Council Member Smith and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT TURPIN TO FAIR HOUSING BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.03

A RESOLUTION REAPPOINTING DEBRA M. TURPIN AS A MEMBER OF THE FAIR HOUSING BOARD.

The Motion was seconded by Council Member Luther and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT CAMPBELL TO FAIR HOUSING BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.04

A RESOLUTION APPOINTING PHILIP W. CAMPBELL AS A MEMBER OF THE FAIR HOUSING BOARD.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).

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NAY: None (0).

**APPOINT JOHNSON TO FAIR HOUSING BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.05

A RESOLUTION APPOINTING DR. GERALD JOHNSON AS A MEMBER OF THE FAIR HOUSING BOARD.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).

NAY: None (0).

**APPOINT JENNINGS TO PLANNING COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.06

A RESOLUTION APPOINTING SYLVESTA L. JENNINGS AS A MEMBER OF THE PLANNING COMMISSION.

The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).

NAY: None (0).

**APPOINT PRITCHETT TO PLANNING COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.07

A RESOLUTION APPOINTING ANNE T. PRITCHETT AS A MEMBER OF THE PLANNING COMMISSION.

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The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT WENTZ TO REGIONAL JUVENILE GROUP HOME COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.08

A RESOLUTION APPOINTING C. SHAWN WENTZ AS A MEMBER OF THE  
SOUTHSIDE REGIONAL JUVENILE GROUP HOME COMMISSION.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**BUDGET AMENDMENT-FY 2004-2005-SHERIFF DEPT. EXPENSES**

Upon Motion by Council Member Archie and second by Council Member Smith, an Ordinance entitled:

ORDINANCE NO. 2004-12.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET  
APPROPRIATION ORDINANCE TO PROVIDE REIMBURSEMENT FROM THE  
STATE COMPENSATION BOARD IN THE AMOUNT OF \$2,833 AND TRANSFER  
FROM THE GENERAL FUND CONTINGENCY ACCOUNT IN THE AMOUNT OF  
\$1,417 FOR REASONABLE LEGAL EXPENSES INCURRED BY THE SHERIFF'S  
DEPARTMENT FOR A TOTAL AMOUNT OF \$4,250

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**CODE AMENDMENT-CHAPTER 21-MOPED REGULATIONS**

Council Member Castiglione moved the adoption of an Ordinance entitled:

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ORDINANCE NO. 2004-12.05

AN ORDINANCE AMENDING CHAPTER 21 OF THE DANVILLE CITY CODE BY ADDING A NEW SECTION REGULATING THE OPERATION AND USE OF MOPEDS WITHIN THE CITY OF DANVILLE EFFECTIVE MARCH 1, 2005.

Council Member Saunders seconded the Motion.

Vice-Mayor Williams asked for a review of the proposed amendments. City Attorney Clarke Whitfield advised that included in the amendments is that every resident owner of a moped shall pay a license fee of twenty-five dollars and obtain a moped license from the City Treasurer's Office. Mr. Whitfield said the license would be an adhesive-type decal that contained identifying numbers, the seal of the City of Danville, and should be affixed to the left side of the moped. He said the license would be valid for as long as the owner retains the moped.

Mr. Whitfield continued that anyone operating a moped in the City without a license shall be guilty of a traffic infraction and subject to a fine of \$50.00. He said there would also be a \$50.00 fine for anyone operating the moped without some type of safety shield, such as a face shield, safety glasses, or goggles of a type approved by the Superintendent of State Police. An alternative would be that the moped be equipped with safety glass or a windshield at all time during operation.

Mr. Whitfield said that each operator and any passengers shall be required to wear a protective motorcycle helmet of a type approved by the Superintendent of State Police. A fine of \$50.00 has been proposed for failure to do so.

Mr. Whitfield advised that the effective date of these new regulations is March 1, 2005.

The Ordinance was adopted by the following vote:

VOTE: 8-1  
AYE: Archie, Castiglione, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (8).  
NAY: Daniels (1).

**ADD HIGHWAY TO DANVILLE MAINTENANCE SYSTEM-VDOT**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-12.09

A RESOLUTION AUTHORIZING AND APPROVING A REQUEST BY THE CITY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION THAT CERTAIN STREETS BE ADDED TO THE DANVILLE HIGHWAY MAINTENANCE SYSTEM.



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The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**ACCEPT RIGHT-OF-WAY-SHOREHAM DRIVE & SUMTER ROAD**

Vice-Mayor Williams moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-12.06

AN ORDINANCE ACCEPTING THE DEDICATION OF RIGHT-OF-WAY FOR SHOREHAM DRIVE AND SUMTER ROAD.

The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**CODE AMENDMENT-CHAPTER 20-3-DELINQUENT PROPERTY TAXES**

Council Member Archie moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-12.07

AN ORDINANCE AMENDING SECTION 20-3 OF CHAPTER 20 OF THE DANVILLE CITY CODE BY ADDING NEW SUBSECTIONS TO HELP INSURE COLLECTION OF DELINQUENT PERSONAL PROPERTY TAXES, AS WELL AS OTHER DELINQUENT TAXES PRIOR TO THE ISSUANCE OF BUSINESS LICENSES.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**COMMUNICATIONS**

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Deputy City Manager Lacy advised that City Manager Gwaltney's father-in-law passed away on Monday.

There were no communications from the City Attorney and City Clerk.

### **ROLL CALL**

All Council Members wished for everyone a safe and happy holiday season.

Each Council Member expressed condolences to City Manager Gwaltney's family. Mrs. Gwaltney's father passed away on Monday morning.

Each Council Member extended congratulations to Dr. Sue Davis, who was recently named Superintendent of Danville City Schools, effective January 1, 2005.

Council Member Archie said it was good to meet with the School Board on Thursday, December 9. She said Council Members received a good update on repairs and maintenance of schools in the City and on SOL achievements as well.

Council Member Castiglione remembered servicemen overseas, who are serving to protect our freedom and to bring about freedom for others.

Mayor Hamlin advised that Radio Stations WBTM and WAKG are working to raise \$100,000 for the Salvation Army during the Christmas Season. He reported they are getting very close to their goal.

Council Member Smith advised that Virginia servicemen serving in Iraq had been killed in a bombing today.

Dr. Williams felt the Council and the City School Board had a very fruitful meeting on December 9.

Mayor Hamlin reminded Council Members that a Council photo would be taken on Tuesday, January 4, 2005, 6:00 p.m. prior to the regular Council meeting.

The Meeting adjourned at 7:50 P.M.

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MAYOR

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CLERK